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May 21, 2025

VIA CM/ECF SYSTEM

Honorable Elizabeth C. Coombe
U.S. District Court Judge
Northern District of New York
James M. Hanley Federal Building & U.S. Courthouse
100 S. Clinton Street
Syracuse, New York 13261

RE: *Sarah Matthews, et. al. v. Brunswick Corporation d/b/a Mercury Marine v. David Youlen*
Case No. 6:24-cv-00202-ECC-TWD
No Objection as to Plaintiffs' Request as to Hearing
***See* [ECF No. 54]**

Dear Judge Coombe:

We are writing to on behalf of Defendant Mercury Marine, a division of Brunswick Corporation ("Mercury Marine") and Third-Party Defendant David Youlen ("Youlen") (collectively with Mercury Marine, the "Defendants"). In accordance with the Court's Order [ECF No. 54] directing the Defendants to file a reply to Plaintiffs' Status Report [ECF No. 53], the Defendants respectfully state that they have no objection to Plaintiffs' recommendation that the hearing to withdraw with prejudice the minor Plaintiffs' zone of danger claims be held without the Defendants' counsel in attendance. As Plaintiffs correctly stated, the Defendants have no objection to the withdrawal of the children's claims with prejudice. If the Court believes that the Defendants' counsel should attend, the Defendants would request if remote appearances would be allowed. If the Court would like live appearances by all, the June 18, 2025 early afternoon date proffered by Plaintiff would work for all Defendants. Counsel for both Mercury Marine and Youlen have conferred on this joint letter.

We appreciate the Court's time and consideration of these matters, and please let us know if you require any further information.

Very truly yours,



Christina M. Paul

cc:

Timothy J. DeMore, Esq. (via ECF service)

Phillip D. Dysert, Esq. (via ECF service)

Alexandra A. Calhoun, Esq. (via ECF service)

Nicole M. Kozin, Esq. (via ECF service)